



BellSouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

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REC'D TN  
REGULATORY AUTH.

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January 22, 2002

OFFICE OF  
EXECUTIVE SECRETARY

Guy M. Hicks  
General Counsel

615 214 6301  
Fax 615 214 7406

VIA HAND DELIVERY

David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Complaint of XO Tennessee, Inc. Against BellSouth Telecommunications, Inc.*

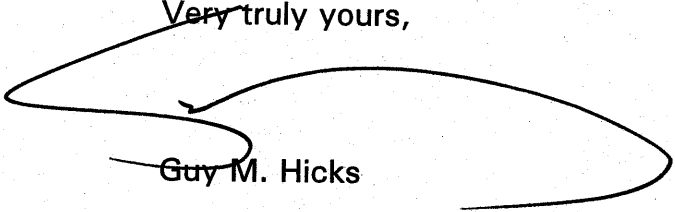
*Complaint of Access Integrated Networks, Inc. Against BellSouth Telecommunications, Inc.*

Docket No. 01-00868

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Submissions in Compliance with "Order from November 30, 2001 Pre-Hearing Conference." Copies of the enclosed are being provided to counsel of record.

Very truly yours,

  
Guy M. Hicks

GMH:ch  
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

Re: *Complaint of XO Tennessee, Inc. Against BellSouth Telecommunications, Inc.*

*Complaint of Access Integrated Networks, Inc. Against BellSouth Telecommunications, Inc.*

Docket No. 01-00868

**BELLSOUTH TELECOMMUNICATIONS, INC.'S**  
**SUBMISSIONS IN COMPLIANCE WITH**  
**"ORDER FROM NOVEMBER 30, 2001 PRE-HEARING CONFERENCE"**

By Order dated December 31, 2001, the Hearing Officer established a deadline of January 22, 2002 for the parties to submit: (1) Joint Stipulations of Fact; (2) Comments on Need for Formal Hearing; and (3) Witness List Containing Designations of Hostile Witnesses. In compliance with these deadlines, BellSouth Telecommunications, Inc. ("BST") respectfully submits the following:

**I. Joint Stipulations of Fact**

BST has contacted the carrier intervenors in an attempt to reach joint stipulations of fact. The carrier intervenors, however, have declined to enter joint stipulations of fact, stating their belief that such stipulations are not required to create a full and complete evidentiary record. BST believes that based on the discovery that has taken place to date, the parties could reach stipulations of numerous matters of fact. BST further believes that such stipulations would, at a minimum, significantly limit the testimony the parties would have to present by way of a live hearing, and that such stipulations could even obviate the need for

any hearing at all. Such stipulations, however, are not possible in light of the position taken by the carrier intervenors.<sup>1</sup>

## **II. Need for a Hearing**

In light of the position taken by the carrier intervenors regarding stipulations of fact, BellSouth believes the need for a hearing is a matter that should be discussed during tomorrow's Status Conference.

## **III. Designations of Hostile Witnesses**

BellSouth does not intend to call any hostile witnesses in its case-in-chief during the hearing scheduled for February 4, 2002 in this docket.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

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615/214-6301

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<sup>1</sup> Stipulations of fact would be of little or no benefit unless all parties to this proceeding joined in the stipulations. Upon learning of the carrier intervenors' position, therefore, BST decided not to contact counsel for the Consumer Advocate and Protection Division with regard to stipulations of fact.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 22, 2002, a copy of the foregoing document was served on the parties of record, via the method indicated:

☐ Hand

☐ Mail

☒ Facsimile

☐ Overnight

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Boult, Cummings, et al.

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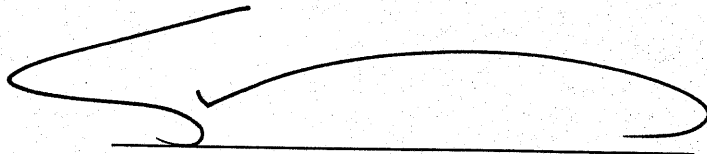
☐ Overnight

Bob Bye, Esquire

Cinergy Communications Company

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A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line.